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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,886	11/18/2003	Chih-Wei Chen	0698-0167P	2800

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EXAMINER	
DUONG, OANH L	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/714,886	CHEN, CHIH-WEI	
	Examiner	Art Unit	
	Oanh Duong	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-8, and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by **Ote** et al. (hereafter, Ote), U.S. Patent No. **5,815,652**.

Regarding claim 1, **Ote** teaches a server management method for allowing a user to remotely manage a server (i.e., computer to be managed 10, Fig. 1A) via a remote terminal device (i.e., remote managing computer 27, Fig. 1B) and through a network communication system (i.e., public line 25, Figs 1A-1B, col. 5 lines 11-13), the method comprising the steps of:

transmitting via a management program module (i.e., agent 17) a management command (i.e., the power-on/off request), which corresponds to management information sent by the user from the remote terminal device (i.e., remote managing computer 27, Fig. 1B) and through the network communication system (i.e., public line 25, Figs 1A-1B, col. 5 lines 11-13), to one of an operating system (i.e., network OS 161, Fig. 1A) and an alarm unit (i.e., preset time power controller 12121, Fig. 5A) of the server (i.e., computer 10) (i.e., *the user sends a power-off request by the power-off*

means to the agent 17. The agent 17 issues a system shut-down request to the network OS 161, col. 8 lines 5-18);

receiving scheduling information sent by the user via the network communication system (col. 8 lines19-48: Ote discloses managed computer 10 receives preset power-off request time sent by the user,) and programming the scheduling information to an operating system of the network server (col. 8 lines19-48: Ote discloses operating system automatically/programmably shut down the system based on the preset power-off request time sent by the user).

adding via one of the operating system and the alarm unit a server control command to an operational schedule thereof according to the management command (i.e., *the preset time power controller (or power controller 1212) sets/adds the power-on/off request time to the RTC*, col. 8 lines 19-27); and

having one of the operating system and the alarm unit drive a control unit to control the server according to the operational schedule (i.e., when *the preset power-on request time is reached, the RTC 127 informs the arrival of the power-on request time to the preset time power controller 12121. The preset time power controller 12121 controls the power unit through the power controller 12122 to turn on the power,* col. 8 lines 28-48).

Regarding claim 2, **Ote** teaches the server management method of claim 1, wherein the management program module (i.e., agent 17) is mounted in a network

server (computer 10, Fig. 1A).

Regarding claim 4, **Ote** teaches the server management method of claim 1, wherein the alarm unit is provided with an I/O (Input/Output) controller chip (i.e., controller 1212) and externally connected by an alarm-clock (i.e., RTC 127) pin of the I/O controller chip (Ote discloses *the controller 12121 sets the power-on/off request time to the RTC 127, Fig. 5A, col. 8 lines 20-40*).

Regarding claim 5, **Ote** teaches the server management method of claim 1, wherein the server control command is written in the form of software in either the operating system or the alarm unit via the management program module (i.e., *the agent 17 issues a system shut-down request to the network OS 161, col. 8 lines 5-19*).

Regarding claim 6, **Ote** teaches the server management method of claim 1, wherein the control unit (i.e., power controller) is located at an on-control position of an I/O controller chip, and is electrically connected to a power supply unit, allowing a power-on operation of the power supply unit to be controlled by the control unit (i.e., *the preset time power controller 12121 controls the power unit 13 through the power controller 12122 to turn on the power*, Fig. 5A and Fig. 17).

Regarding claim 7, **Ote** teaches a server management system for allowing a user to remotely manage a server (i.e., computer to be manage 10, Fig. 1A) via a remote

terminal device (i.e., remote managing computer 27, Fig. 1B) and through a network communication system (i.e., public line 25, Figs 1A-1B, col. 5 lines 11-13), the system comprising:

a management program module (i.e., agent 17, Fig. 1A) mounted in the server (computer 10), to receive management information sent by the user from the remote terminal device through the network communication system, and to transmit a management command corresponding to the management information to an operating and/or control mechanism of the server where the management command is executed (i.e., *the user sends a power-off request by the power-off means to agent 17. The agent 17 issues a system shut-down request to the network OS 161, and thereafter, the system is shut-down*, col. 8 lines 5-18) and to receive scheduling information sent by the user via the network communication system (col. 8 lines19-48: Ote discloses managed computer 10 receives preset power-off request time sent by the user,) and programming the scheduling information to an operating system of the network server (col. 8 lines19-48: Ote discloses operating system automatically/programmably shut down the system based on the preset power-off request time sent by the user);

an alarm unit (i.e., preset time power controller 12121 or power controller 1212, Fig. 5A) for setting actuation time of a peripheral device (i.e., power unit 13, Fig. 5A) of the server according to the management command (i.e., *the preset time power controller sets the power-on/off request time to the RTC. When the preset power-on request time is reached, the RTC 127 informs the arrival of the power-on request time to the preset time power controller 12121. The preset time power controller 12121 controls*

the power unit 13 through the power controller 12122 to turn on the power, Fig. 5A col. 8 lines 19-48); and

a control unit (power controller 1212, Fig. 1A) for controlling in real time actuation of the peripheral device of the server according to the actuation time (i.e., *when the preset power-on request time is reached, the RTC 127 informs the arrival of the power-on request time to the preset time power controller 12121. The preset time power controller 12121 controls the power unit 13 through the power controller 12122 to turn on the power*, col. 8 lines 42-48).

Regarding claim 8, **Ote** teaches the server management system of claim 7, the management program module (i.e., agent 17) is mounted in a network server (computer 10, Fig. 1A).

Regarding claim 10, **Ote** teaches the server management system of claim 7, wherein the alarm unit is provided with an I/O (Input/Output) controller chip (i.e., controller 1212) and externally connected by an alarm-clock (i.e., RTC 127) pin of the I/O controller chip (i.e., *the controller 12121 sets the power-on/off request time to the RTC 127*, Fig. 5A, col. 8 lines 20-40).

Regarding claim 11, **Ote** teaches the server management system of claim 7, wherein the control unit (i.e., power controller 1212, Fig. 1A) is located at an on-control position of an I/O controller chip, and is electrically connected to a power supply unit,

allowing a power-on operation of the power supply unit to be controlled by the control unit (i.e., *the preset time power controller 12121 controls the power unit 13 through the power controller 12122 to turn on the power*, Fig. 5A and Fig. 17).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ote** in view of **Applicant Admitted Prior Art** (hereafter, **AAPA**).

Regarding claim 3, **Ote** teaches the server management method of claim 2.

Ote does not explicitly teach the server is one of an e-mail (electronic mail) server, an application program server, a file server, and a storage server.

AAPA teaches the server is one of an e-mail (electronic mail) server, an application program server, a file server, and a storage server (page 1 lines 12-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify **Ote** to select a server from the group consisting of an e-mail server, an application program server, a file server, and a storage server as in **AAPA**. One would be motivated to do so to allow a massive data transmission between

companies or between companies and end users to be managed in an information management system (**AAPA**, page 1 lines 10-12).

Regarding claim 9, Ote teaches the server management system of claim 8.

Ote does not explicitly teach the server is one of an e-mail (electronic mail) server, an application program server, a file server, and a storage server.

AAPA teaches the server is one of an e-mail (electronic mail) server, an application program server, a file server, and a storage server (page 1 lines 12-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify **Ote** to select a server from a group consisting of an e-mail server, an application program server, a file server, and a storage server as in **AAPA**. One would be motivated to do so to allow a massive data transmission between companies or between companies and end users to be managed in an information management system (**AAPA**, page 1 lines 10-12).

Response to Arguments

6. Applicant's arguments filed 05/30/2006 have been fully considered but they are not persuasive.

In the remarks, applicant argued in substance that

(A) Prior art does not receiving of scheduling information sent by the user via the network communication system and programming the scheduling information to an operating system of the network server.

As to point (A), Ote does teaches receiving scheduling information sent by the user via the network communication system (col. 8 lines19-48: Ote discloses managed computer 10 receives preset power-off request time sent by the user,) and programming the scheduling information to an operating system of the network server (col. 8 lines19-48: Ote discloses operating system automatically/programmably shut down the system based on the preset power-off request time sent by the user).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.D
August 17, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER